

SEP 15 2005

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VIA FACSIMILE

September 15, 2005

To: Examiner Anh D. Mai  
Group Art Unit No. 2814  
U.S.P.T.O.

Facsimile No.: (571) 273-8300

From: Scott M. Tulino, Esq.

Facsimile No.: (703) 761-2375

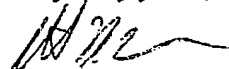
Re: Enclosed Declaration Under 37 C.F.R. § 1.131  
U.S. Patent Application Serial No. 10/680,260  
Our Reference: YOR.427

Dear Examiner Mai:

Further to the Amendment Under 37 C.F.R. § 1.111 filed on August 23, 2005, enclosed is the executed Declaration Under 37 C.F.R. § 1.131, which we request that you enter.

Thank you in advance for your kind consideration on this case.

Very truly yours,



Scott M. Tulino, Esq.  
Sean M. McGinn, Esq.

SMT:SMM:lg

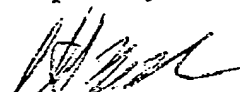
Enclosure

Total No. of Pages Transmitted: 3

**FACSIMILE TRANSMISSION**

I hereby certify that I am filing this paper via facsimile to Group Art Unit 2814, at (571) 273-8300, on September 15, 2005.

Respectfully Submitted,

Date: September 15, 2005

Scott M. Tulino, Esq., Reg. No. 48,317  
Sean M. McGinn, Esq., Reg. No. 34,386

SEP 15 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**In re Application of**

David Abraham et al.

**Serial No.:** 10/680,260

**Group Art Unit:** 2814

**Filed:** October 8, 2003

**Examiner:** Mai, Anh D.

**For:** METHOD AND SYSTEM FOR PATTERNING OF MAGNETIC THIN FILMS  
USING CHEMICAL TRANSFORMATION

Honorable Commissioner of Patents  
Alexandria, VA 22313-1450

**DECLARATION UNDER 37 C.F.R. §1.131**

Sir:

We, David Abraham and Eugene J. O'Sullivan, do hereby state that:

1) We are the inventors of the above-identified application.

2) The method and system for patterning of magnetic thin films using chemical transformation was invented by us earlier than March 29, 2002 (the earliest effective prior art date of the applied prior art references), as shown in the enclosed memorandum (Exhibits 1-3). The effective date of the memorandum (Exhibits 1-3) is earlier than March 29, 2002 and the date thereof has been redacted.

3) The above clearly evidences a completion (reduction to practice) of the invention in the United States before the filing dates of the applied prior art references, Kamata, Grynkewich and Klemmer, which are March 29, 2002, April 22, 2003 and October 21, 2002, respectively.

Serial No. 10/680,260

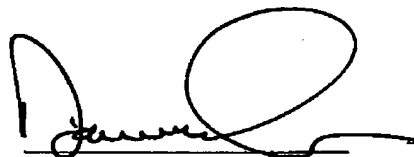
Docket No. YOR920030013US1

4) The facts in the above, 3) clearly show a completion date (reduction to practice) of the invention in the U.S. prior to March 29, 2002 (the earliest filing date of the applied prior art references).

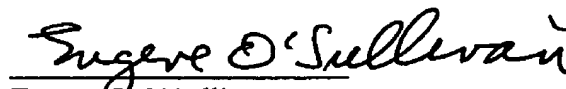
We hereby declare that all statements made here of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application for any patent issued thereon.

Further declarants sayeth not.

Date: 8/30/05

  
David Abraham

Date: 9/02/05

  
Eugene J. O'Sullivan